HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 14632 OF 2006

DATED: 8.9.2006

Between:

Sri Swamy Ayyappa Cooperative Housing
Society Ltd

… Petitioner

and

Government of Andhra Pradesh, represented
By its Secretary to Government and others

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 14632 OF 2006

ORAL ORDER:

This writ petition assails the order of the 3rd respondent No.70 dated 1.6.2004 disposing of several original applications, exercising jurisdiction under Section 83 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short 'the Act') and declaring that the persons in occupation of lands belonging to Sri Gurukul Ghatkesar Trust, in Khanmet and Ijjatnagar villages in different survey numbers, are encroachers as the sales in their favour are contrary to the mandatory provisions of the Act and are void, illegal and unenforceable.

As against an order of the 3rd respondent under Section 83 (1) of the Act, the person aggrieved has a statutory remedy under Section 84 (2) of the Act before a civil court of competent jurisdiction.

In view of the availability of a statutory remedy, the writ petition is not entertained and is dismissed with liberty to the writ petitioner to avail the statutory remedy. No costs.

GODA RAGHURAM, J

Date: 8.9.2006
cvm